

JUDGE JOHN H. CHUN

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,	)	No. CR23-097-JHC
Plaintiff,	)	
v.	)	ORDER GRANTING
DAVID WAYNE SAGEBARK, JR.,	)	UNOPPOSED MOTION TO
Defendant.	)	CONTINUE TRIAL AND EXTEND
	)	PRETRIAL MOTIONS DEADLINE

THE COURT has considered David Sagebark's unopposed motion to continue the trial date and extend the pretrial motions deadline and finds that:

(a) taking into account the exercise of due diligence, a failure to grant a continuance in this case would deny counsel for Mr. Sagebark the reasonable time necessary for effective preparation due to counsel's need for more time to review the evidence, consider possible defenses, and gather evidence material to the defense, as set forth in 18 U.S.C. § 3161(h)(7)(B)(iv); and

(b) a failure to grant such a continuance in this proceeding would likely result in a miscarriage of justice, as set forth in 18 U.S.C. § 3161(h)(7)(B)(i); and

(c) the additional time requested is a reasonable period of delay, as counsel for Mr. Sagebark has requested more time to prepare for trial, to investigate the matter, to gather evidence material to the defense, and to consider possible defenses; and

(d) the ends of justice will best be served by a continuance, and the ends of justice outweigh the best interests of the public and Mr. Sagebark in any speedier trial, as set forth in 18 U.S.C. § 3161(h)(7)(A); and

1 (e) the additional time requested between the current trial date of August 14,  
2 2023, and the new trial date is necessary to provide counsel for Mr. Sagebark the  
3 reasonable time necessary to prepare for trial, considering counsel's schedule and all of  
4 the facts set forth above; and

5 (f) the period of delay from the date of this order to the new trial is excludable  
6 time pursuant to 18 U.S.C. §§ 3161(h)(7)(A) and (h)(7)(B)(iv).

7 IT IS ORDERED that the trial date in this matter shall be continued to March 11,  
8 2024, and that pretrial motions shall be filed no later than February 1, 2024.

9 DONE this 20th day of July 2023.

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13 JOHN H. CHUN  
14 UNITED STATES DISTRICT JUDGE

15 Presented by:

16 s/ *Andrew Kennedy*  
17 Assistant Federal Public Defender  
18 Attorney for David Wayne Sagebark, Jr.  
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